

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being submitted *via* the USPTO EFS Filing System; Mail Stop Appeal Brief-Patents; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

Date: April 27, 2007/Michelle Pesek
Michelle Pesek**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant(s): Teresa Martineau, *et al.*

Examiner: Mark A. Fadok

Serial No: 09/698,379

Art Unit: 3625

Filing Date: October 27, 2000

Title: WISH LIST

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDED APPEAL BRIEF

Dear Sir:

Appellants' representative submits this Amended Appeal Brief in response to the Notification of Non-Compliant Appeal Brief dated March 27, 2007. This amended brief is intended as a replace to the Appeal Brief filed September 11, 2006. In the event any fees may be due, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP151US].

I. Real Party in Interest (37 C.F.R. §41.37(c)(1)(i))

The real party in interest in the present appeal is Microsoft Corporation, the assignee of the present application.

II. Related Appeals and Interferences (37 C.F.R. §41.37(c)(1)(ii))

Appellants, appellants' legal representative, and/or the assignee of the present application are not aware of any appeals or interferences which may be related to, will directly affect, or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status of Claims (37 C.F.R. §41.37(c)(1)(iii))

Claims 12-40 have been withdrawn. Claims 1-11 and 41-49 stand rejected by the Examiner. The rejection of claims 1-11 and 41-49 is being appealed.

IV. Status of Amendments (37 C.F.R. §41.37(c)(1)(iv))

The Final Office Action required correction of an informality in claim 1. (*See* Final Office Action dated April 21, 2006). The Examiner has not entered the amendment submitted after the Final Office Action to correct the informality. (*See* Communication from Examiner dated July 12, 2006). However, amendments "complying with objections or requirements as to form are to be permitted after final action." (*See* MPEP §714.12). Accordingly, the amendment to claim 1 is incorporated in the listing of the claims of the Claims Appendix.

V. Summary of Claimed Subject Matter (37 C.F.R. §41.37(c)(1)(v))**A. Independent Claim 1**

A system that facilitates electronic shopping through an electronic item list for items residing on the Internet comprising: an item database holding information with respect to items, the information is at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type; an item list database that stores an item list that includes a reference to at least one item associated with the information stored in the item database; and an interface component that receives a request to display the item that is referenced in the item list, accesses the item list database to obtain the reference from the item list, utilizes

the reference as a key into the item database, retrieves data corresponding to the referenced item from the item database, and utilizes the retrieved data to display the item and associated information to the requester. (*See e.g.*, page 6, lines 5-18, page 7, lines 4-10, and Figure 1).

B. Dependent Claim 2

Dependent claim 2 relates to the system of claim 1, the interface component degrades the display of the item as records are removed from the item database. (*See e.g.*, page 7, lines 12- 24, page 14, lines 7-9, page 15, lines 5-27, and Figure 9).

C. Dependent Claim 5

Dependent claim 5 relates to the system of claim 1, further comprising a remote input component that allows a user to add an item to the item list, the item is a description that resides on a remote merchant's site, and the remote merchant site employs a link to the remote input component that invokes the remote input component. (*See e.g.*, page 11, lines 27-30, page 12, lines 1-28, and Figure 4).

D. Dependent Claim 8

Dependent claim 8 relates to the system of claim 8, further comprising a component that links an infrastructure of the item list system to a remote site, the item list system appears to reside on the remote site. (*See e.g.*, page 14, lines 10-25, and Figure 8).

E. Independent Claim 41

Independent claim 41 relates to a method that provides an electronic item list for items residing on the Internet comprising: providing an item database that stores information with respect to items, the information is at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type; and storing an item list in an item list database, the item list includes a reference to an item associated with the information stored in the item database, the reference is utilized as a key into the item database to extract data corresponding to the referenced item from the item database and to display the referenced item and associated information. (*See e.g.*, page 6, lines 5-18, page 7, lines 4-10, and Figure 1).

F. Dependent Claim 42

Dependent claim 42 relates to the method of claim 41, further comprising degrading the display of the item as records are removed from the item database. (*See e.g.*, page 7, lines 12- 24, page 14, lines 7-9, page 15, lines 5-27, and Figure 9).

G. Dependent Claim 45

Dependent claim 45 relates to the method of claim 45, further comprising: allowing a user to select an item from an electronic web-site to add to the item list; and adding the selected item to the item list. (*See e.g.*, page 11, lines 27-30, page 12, lines 1-28, and Figures 4 and 5).

H. Independent Claim 47

Independent claim 47 relates to a system that facilitates electronic shopping through an electronic item list for items residing on the Internet comprising: means for storing information with respect to items, the information at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type (*See e.g.*, Figure 1 reference numbers 20, 22, 18 and 16; page 6, lines 5-18); means for storing an item list that includes a reference to an item associated with the stored information (*See e.g.*, Figure 1 reference number 26, page 6, lines. 17-20); and means for receiving a request to display the referenced item, retrieving the reference, utilizing the reference as a key into the stored information, extracting data corresponding to the referenced item and utilizing the extracted data to display the item and associated information to the requester. (*See e.g.*, Figure 1 reference number 30, page 7, lines 4-11).

The means for limitations described above are identified as limitations subject to the provisions of 35 U.S.C. §112 ¶6. The corresponding structures are identified with reference to the specification and drawings in the parentheticals above corresponding to those claim limitations.

I. Dependent Claim 48

Dependent claim 48 relates to the system of claim 48, further comprising means for degrading the display of the item as records are removed from the stored information. (*See*

e.g., Figure 1 reference number 30, page 7, lines 12- 24, page 14, lines 7-9, page 15, lines 5-27 and Figure 9).

The means for limitations described above are identified as limitations subject to the provisions of 35 U.S.C. §112 ¶6. The corresponding structures are identified with reference to the specification and drawings in the parentheticals above corresponding to those claim limitations.

VI. Grounds of Rejection to be Reviewed (37 C.F.R. §41.37(c)(1)(vi))

A. Claims 1-10 and 41-49 stand rejected under 35 U.S.C. §102(c) as being unpatentable over Morgan *et al.* (U.S. Patent 6,073,140).

B. Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Morgan *et al.* in view of Kalagnanam *et al.* (U.S. Patent 6,873,967).

VII. Argument (37 C.F.R. §41.37(c)(1)(vii))

A. Rejection of Claims 1-10 and 41-49 Under 35 U.S.C. §102(e)

Claims 1-10 and 41-49 stand rejected under 35 U.S.C. §102(e) as being anticipated Morgan *et al.* (U.S. Patent 6,073,140). Reversal of this rejection is respectfully requested for at least the following reason. Morgan *et al.* does not teach or suggest each and every limitation as recited in the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject invention generally relates to creating an electronic shopping list (e.g., a list of references to items) for a user and utilizing this list to purchase items for the user over the

Internet. (See Application, page 2, lines 9-11). The systems and methods of the present invention provide a user interface that enables the user to create a personalized list of references to items (e.g., offers, product categories, products from merchants, products from manufacturers...) by electronically selecting and adding such items to their item list. (See Application, page 2, lines 11-17). This list of references, as well as other users' item lists, is stored within an item list database (See Application, page 2, lines 17-18). Information related to items (e.g., offer, manufacturer and merchant information) is stored within one or more item databases. (See Application, page 6, lines 7-17). In general, an owner of an item list or a customer who intends on purchasing an item for owner of the item list can request the stored item list. On request, an interface component utilizes item references from the stored item list to extract related item data from the item databases. The extracted data is employed to present a list of items to a requester ensuring that current item information from the item databases is provided. (See Application, page 7, lines 5-10).

Claims 1, 41, and 47

Independent claims 1, 41 and 47 each recite similar aspects, namely electronic shopping lists. The subject application is focused upon an electronic shopping list for use over the Internet. Independent claims 1 and 47 each describe systems that ***facilitate electronic shopping through an electronic item list for items residing on the Internet***. Similarly, claim 41 describes a method for providing ***an electronic item list for items residing on the Internet***. Each of claims 1, 41, and 47 is directed on an item or product offered for sale. In contrast, Morgan *et al.* is focused on provision of customer information and generation or enhancement of customer lists or databases. The lists or databases described in Morgan *et al.* are used to manage groups of prospective customers and contain individuals and/or companies and their associated demographic information. (Column 1, lines 7-12, 50-65). Morgan *et al.* fails to disclose or suggest an item list for electronic shopping.

Additionally, independent claims 1, 41 and 47 each recite an item database or means for storing information with respect to items, where the information is ***at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type***. The information relates to products offered for sale and associated information such as manufacturer, merchant or retailer offering the item for sale, and terms of the offer. (See Application page 6,

lines 7-11). The information stored within the central database(s) of Morgan *et al.* relates instead to the customers or potential customers. In particular, the central database(s) of Morgan *et al.* includes customer information or demographics (e.g., name, geographic location, marital status and income). Morgan *et al.* does not describe, teach or suggest storage and/or display of item information.

In addition, each of claims 1, 41 and 47 recite an item list that includes a reference used as a key to extract information from an item database for display. In particular, claim 1 recites an interface component that *receives a request to display the item that is referenced in the item list, accesses the item list database to obtain the reference from the item list, utilizes the reference as a key into the item database and retrieves data corresponding to the referenced item from the item database and utilizes the retrieved data to display the item and associated information to the requester*. Similarly, independent claim 41 recites an item list including a reference to an item stored in an item database, where the *reference is utilized as a key into the item database to extract data corresponding to the referenced item from the item database and to display the referenced item and associated information*. In addition, independent claim 47 recites a means for *receiving a request to display the referenced item, retrieving the reference, utilizing the reference as a key into the stored information, extracting data corresponding to the referenced item and utilizing the extracted data to display the item and associated information to the requester*. In claims 1, 41 and 47, prior to display the list of items and associated information is dynamically updated to reflect changes in the underlying item database. Morgan *et al.* does not describe, teach or suggest such claimed aspects.

Morgan *et al.* is directed to a system for creating or updating a retailer's customer database with information from a data vendor's central database or databases. Organizations such as insurance companies, credit card issuers and retailers maintain lists of current or target customers. These customer lists or customer databases can be created and/or enhanced using data imported from a data vendor. Data vendors can provide information relating to large numbers of individuals or companies. (See Column.1, lines 35-37). The system described in Morgan *et al.* utilizes persistent keys to link a retailer's customer database to a central database of a data vendor and allow data from the central database to be overlaid or copied onto the customer database. (Column 1, lines 10-14). Data is periodically copied from the central database to customer databases where it can be accessed and used to generate mailing lists.

There is no indication that the central database is accessed by an interface component in response to a request to display data and that retrieved data is utilized to display an item and associated information to a user. In contrast, Morgan *et al.* discusses updating the customer lists on a periodic basis (*e.g.*, weekly) and describes the advantages of this increased frequency in transfer of data to the customer database. (Column 6, lines 12-19). Morgan *et al.* fails to disclose the dynamic extraction of data from a central database to display an updated customer list on request.

The use of references stored in an item list to extract information from an item database for display of an item provides several advantages. By utilizing references to items to extract items from the item database rather than simply copying the data into the item list database on a periodic basis, the system ensures that the displayed item information is current. Modifications to the item database will be automatically reflected when the item lists are displayed to users. For example, if the price of an item is increased in an item database, the increased price will be automatically retrieved from the information database when item lists are displayed to users without requiring a separate update of effected item lists. In contrast, in the system described in Morgan, *et al.* when information contained in the central database is modified after the customer list is generated or updated, the information in the customer list may be incorrect. Therefore, in view of the foregoing, it is requested that this rejection should be reversed with respect to independent claims 1, 41 and 47 (and the claims that depend therefrom).

Claims 2, 42, and 48

Dependent claims 2, 42 and 48 recite similar aspects. In particular, claim 2 recites the *interface component degrades the display of the item as records are removed from the item database*, claim 42 recites *degrading the display of the item as records are removed from the item database* and claim 48 recites *means for degrading the display of the item as records are removed from the stored information*. As disclosed in the subject application, when an item in a user's item list is removed from the item database, the data can be degraded to provide a user with an alternate item from the database and/or another database, such as the best available item. The degraded list can provide users with a link to a merchant's web site or to alternative, similar items. (See Application, page 7, lines 12-24). Morgan *et al.* does not discuss removal of information contained in the central database. Moreover, Morgan *et al.* makes no provision for

degrading of a display of data in response to changes in the underlying data. Accordingly, Morgan *et al.* does not teach or suggest degrading items on a list when the items are removed from the database, as recited in the subject claim. Accordingly, this rejection should be reversed.

Claims 5 and 45

Dependent claims 5 and 45 recite similar aspects. In particular, claim 5 recites *a remote input component that allows a user to add an item to the item list, the item is a description that resides on a remote merchant's site*. Similarly, claim 45 recites *allowing a user to select an item from an electronic website to add to the item list and adding the selected item to the item list*. Morgan *et al.* does not teach or suggest adding customers or customer information from either websites or remote merchant's sites. In contrast, Morgan *et al.* describes adding to a customer list by enhancing or updating the customer list using the central database. Therefore, Morgan *et al.* fails to disclose each of the elements of claims 5 and 45. Accordingly, this rejection should be reversed.

Claim 8

Dependent claim 8 recites *a component that links an infrastructure of the item list system to a remote site, the item list system appears to reside on the remote site*. As disclosed in the subject application, a remote merchant site can be linked to an item list system (e.g., a shopping portal with a database that stores items from a plurality of merchants). When a user at the remote merchant site wishes to view items offered for sale, the items displayed can be filtered such that only items associated with the merchant are provided to the user. Thus, only the remote merchant's products can be added to the item list through the merchant's site. (See application, page 14, lines 10-26). Morgan *et al.* does not teach or suggest a component that links an item list infrastructure to a remote site such that it appears to a user that the item list resides at the remote site. In contrast, the retailer's customer list is accessed locally by the retailer. In view of the foregoing, this rejection should be reversed with respect to claim 8.

B. Rejection of Claim 11 Under 35 U.S.C. §103(a)

Claim 11 stands rejected as under 35 U.S.C. §103(a) as being unpatentable over Morgan *et al.* in view of Kalagnanam *et al.* (U.S. Patent 6,873,967). Reversal of this rejection is respectfully

requested for at least the following reason. Neither Morgan *et al.* or Kalagnanam *et al.*, alone or in combination, teach or suggest all limitations as recited in the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As discussed *supra*, Morgan *et al.* does not teach or suggest all limitations recited in independent claim 1, from which claim 11 depends. In addition, Kalagnanam *et al.* fails to make up for the aforementioned deficiencies of Morgan *et al.* In particular, both Morgan *et al.* and Kalagnanam *et al.* fail to disclose an item list including references used to extract data from an item database and dynamically update the list in response to a display request.

In addition, there is no apparent suggestion or motivation to combine the references or to combine the reference teachings. The Federal Circuit requires the Examiner to show a motivation to combine the references to create the case of obviousness. That is, ***the Examiner must show reasons that the skilled artisan, confronted with same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed.*** (See *In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453 (Fed. Cir. 1998) (*citations omitted*). Therefore, reversal of this rejection is respectfully requested.

C. Conclusion

For at least the above reasons, the claims currently under consideration are believed to be patentable over the cited references. Accordingly, it is respectfully requested that the rejections of claims 1-11 and 41-49 be reversed.

If any additional fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP151US].

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731

VIII. Claims Appendix (37 C.F.R. §41.37(c)(1)(viii))

1. A system that facilitates electronic shopping through an electronic item list for items residing on the Internet comprising:

an item database holding information with respect to items, the information is at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type;

an item list database that stores an item list that includes a reference to at least one item associated with the information stored in the item database; and

an interface component that receives a request to display the item that is referenced in the item list, accesses the item list database to obtain the reference from the item list, utilizes the reference as a key into the item database, retrieves data corresponding to the referenced item from the item database, and utilizes the retrieved data to display the item and associated information to the requester.

2. The system of claim 1, the interface component degrades the display of the item as records are removed from the item database.

3. The system of claim 1, further comprising a custom input component that allows a user to add a custom element to the item list, the custom element not residing in the item database.

4. The system of claim 3, further comprising a user interface component that receives data related to the custom element from a user, the data comprises at least one of structured and unstructured data.

5. The system of claim 1, further comprising a remote input component that allows a user to add an item to the item list, the item is a description that resides on a remote merchant's site, and the remote merchant site employs a link to the remote input component that invokes the remote input component.

6. The system of claim 5, the remote input component adds the description of the item to the item list, the description includes one of structured and unstructured data.
7. The system of claim 5, the description is linked to information associated with an item in the item database and the remote input component adds the linked information to the item list.
8. The system of claim 1, further comprising a component that links an infrastructure of the item list system to a remote site, the item list system appears to reside on the remote site.
9. The system of claim 1, the interface component comprises a plurality of ASP pages.
10. The system of claim 1, further comprising at least one HTML page that allows a user to select items from an electronic web-site to add to the item list and at least one element that provides a link from a selected item to the interface component, the interface component adds the selected item to the item list.
11. The system of claim 1, further comprising a gift finder component that is associated with the item list, the gift finder component accesses a user attribute database to retrieve attributes related to an owner of the item list, the gift finder component employs the retrieved attributes to extract data from the item database and returns at least one item based on the retrieved attributes.
12. (Withdrawn) A system that creates and maintains an electronic item list for items residing on the Internet comprising:
 - at least one database that stores information with respect to items; and
 - an interface component that receives a request for items in an item list, accesses the items from the at least one database and returns the requested item list, the interface component joins items from the at least one database and degrades the joined items as records are removed from any of the at least one database by providing other items from a same merchant that are similar to the removed items.

13. (Withdrawn) The system of claim 12, the items include data from at least two of an offer type, a general product type, a specific manufacturer type and a specific merchant type, the interface component degrades the joined items by providing the best information from data available in the at least two of a general product type, a specific manufacturer type and a specific merchant type.

14. (Withdrawn) A system that creates and maintains an electronic item list for items residing on the Internet comprising:

an item list database and at least one database with item information stored in records;

and

an interface component that receives a request to add an item, which is not in the at least one database, to an item list stored in the item list database, the item is associated with information that comprises structured data that conforms to a format of the records in the at least one database and unstructured data that does not conform to the format of the records in the at least one database or reside in the records in the at least one database.

15. (Withdrawn) The system of claim 14, further comprising a custom input component that allows a user to add a custom element to the item list, the custom element component comprises structured and unstructured data.

16. (Withdrawn) The system of claim 15, further comprising a user interface component that receives data related to a custom element from a user, the data comprises at least one of structured and unstructured data.

17. (Withdrawn) The system of claim 14, further comprising a remote input component that allows a user to add an item to the item list having a description residing on a remote merchant's site, the remote merchant site employs a link to the remote input component to invoke the remote input component.

18. (Withdrawn) The system of claim 17, the remote input component adds the description of the item to the item list, the description includes one of structured and unstructured data.

19. (Withdrawn) The system of claim 17, the description is linked to information associated with an item in the at least one database and the remote input component adds the information with respect to the item to the item list.
20. (Withdrawn) A system that creates and maintains an electronic item list for items residing at different merchant sites on the Internet comprising:
- a database that stores item lists;
 - at least one database that holds information with respect to items in a stored item list;
 - a component that adds an item to the item list, the item resides at a remote merchant site and is associated with information that neither conforms to the format of the records in the at least one database nor resides in the records in the at least one database; and
 - an interface component located at the remote site that receives a request for items in the item list and presents the items to appear that they reside at the remote site by removing items that are not located at the remote site.
21. (Withdrawn) The system of claim 20, the interface component filters the items in order to return only items related to the remote site.
22. (Withdrawn) The system of claim 21, the interface component accesses and returns only items related to the remote site based on an ID associated with the items.
23. (Withdrawn) The system of claim 21, the interface component accesses and returns only items related to the remote site by accessing and returning items on a separate list associated with items related to the remote site.

24. (Withdrawn) A system that creates and maintains an electronic item list for items residing on the Internet comprising:

- at least one database with saved information with respect to items in an item list that is stored in an item list database,

- a user attribute database that stores user attributes and user preferences for an owner of the item list; and

- a gift finder component that accesses the user attribute database and retrieves attributes associated with the owner of the item list, utilizes the attributes to query the at least one database, selectively extracts information associated with at least one item data from the at least one database based on the attributes, and displays the at least one item of interest to a purchaser.

25. (Withdrawn) The system of claim 24, the item list comprises a link associated with the gift finder component that invokes the gift finder component from the item list.

26. (Withdrawn) A method that provides an electronic item list for items residing on the Internet comprising:

- providing at least one database that stores information with respect to items, the information is at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type;

- providing an item list database that stores references to the items stored in the at least one database;

- receiving a request from a requestor for at least one item associated with the information in the at least one database;

- accessing the item list database for the references to the at least one item ;

- extracting data from the at least one database that corresponds to the references; and

- utilizing the extracted data to display the requested item list to the requestor.

27. (Withdrawn) The method of claim 26, further comprising joining the extracted data and degrading the joined items as records are removed from any of the at least one database.

28. (Withdrawn) The method of claim 26, further comprising joining structured and unstructured data.
29. (Withdrawn) The method of claim 26, further comprising inputting custom items into the item list database.
30. (Withdrawn) The method of claim 26, further comprising providing a link and a product description at a remote merchant site that allows a user to add items from a remote site to the item list database.
31. (Withdrawn) The method of claim 26, further comprising linking the infrastructure of the item list to a remote site, the item list appears to reside on the remote site.
32. (Withdrawn) The method of claim 26, further comprising providing links from selectable items on at least one HTML page, the links allow a user to select items from an electronic web-site to add to the item list.
33. (Withdrawn) A computer-readable medium having computer-executable instructions that perform the steps of claim 26.

34. (Withdrawn) A method that provides an electronic item list for items residing on the Internet comprising the steps of:

- providing at least one database that holds information with respect to items, the information is at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type;

- providing a user attribute database that stores attributes with respect to an owner of the item list;

- receiving a request from a requestor for possible gift items;

- accessing the user attribute database for the attributes and preferences of the owner of the item list, the preferences include additional items of interest of the user that are not in the user's item list;

- extracting data that corresponds to the at least one database based on the attributes and preferences;

- degrading the extracted data as records are removed from any of the at least one database by providing other items from a same merchant that are similar to the removed items; and

- displaying the items to the requestor.

35. (Withdrawn) A system that creates and maintains an electronic item list for items residing on the Internet comprising:

- means for storing information with respect to items, the information is at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type;

- means for storing references to the items stored in the at least one database;

- means for extracting data corresponding to the at least one database employing the stored references.

36. (Withdrawn) The system of claim 35, further comprising means for joining the extracted data and means for degrading the extracted data as records are removed from any of the at least one database.

37. (Withdrawn) The system of claim 35, further comprising means for providing custom input elements to the item list.

38. (Withdrawn) The system of claim 35, further comprising means for allowing a user to add an item residing on a remote merchant's site to the item list.

39. (Withdrawn) The system of claim 35, further comprising means for linking the infrastructure of the item list system to a remote site wherein the item list system appears to reside on the remote site.

40. (Withdrawn) The system of claim 35, further comprising means for providing gift suggestions to a receiver of an item list, the receiver employs attributes that reside in a user attribute database and means for extracting data from the at least one database based on the attributes.

41. A method that provides an electronic item list for items residing on the Internet comprising:

providing an item database that stores information with respect to items, the information is at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type; and

storing an item list in an item list database, the item list includes a reference to an item associated with the information stored in the item database, the reference is utilized as a key into the item database to extract data corresponding to the referenced item from the item database and to display the referenced item and associated information.

42. The method of claim 41, further comprising degrading the display of the item as records are removed from the item database.

43. The method of claim 41, further comprising adding a custom element to the item list, the custom element not residing in the item database.

44. The method of claim 41, further comprising linking an infrastructure of the item list to a remote site such that the item list appears to reside on the remote site.

45. The method of claim 41, further comprising:
allowing a user to select an item from an electronic web-site to add to the item list; and
adding the selected item to the item list.
46. The method of claim 41, further comprising:
accessing a user attribute database to retrieve attributes related to an owner of the item list;
employing the retrieved attributes to extract data from the item database; and
returning the extracted data.
47. A system that facilitates electronic shopping through an electronic item list for items residing on the Internet comprising:
means for storing information with respect to items, the information at least one of an offer type, a general product type, a specific manufacturer type and a specific merchant type;
means for storing an item list that includes a reference to an item associated with the stored information; and
means for receiving a request to display the referenced item, retrieving the reference, utilizing the reference as a key into the stored information, extracting data corresponding to the referenced item and utilizing the extracted data to display the item and associated information to the requester.
48. The system of claim 47, further comprising means for degrading the display of the item as records are removed from the stored information.
49. The system of claim 47, further comprising means for allowing a user to add a custom element to the item list, the custom element not residing in the stored information.

IX. Evidence Appendix (37 C.F.R. §41.37(c)(1)(ix))

None.

X. Related Proceedings Appendix (37 C.F.R. §41.37(c)(1)(x))

None.